



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Confirmation No.: 7884

Eva-Maria LEPPANEN, *et al.*

Art Unit: 2446

Application No.: 10/529,577

Examiner: Sulaiman NOORISTANY

Filed: March 30, 2005

Attorney Dkt. No.: 059643.00596

For: COMMUNICATION SYSTEM INCLUDING AT LEAST ONE USER AND AT LEAST ONE ENTITY TO WHICH PRESENCE INFORMATION ASSOCIATED WITH SAID AT LEAST ONE USER IS PROVIDED (as amended)

**DECLARATION UNDER 37 C.F.R. § 1.131**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We, Juha Mikael Kalliokulja and Mikko Aleksi Lonnfors, hereby declare and state:

1. We are two of the four inventors for the above-identified application, U.S. Patent Application Serial No. 10/529,577, filed on March 30, 2005, which claims priority to PCT/IB02/04381 application filed October 9, 2002.

2. We are employees of Nokia Corporation.

3. Nokia Corporation is the owner of the above-identified application ("Assignee"), by virtue of the Assignment recorded on March 30, 2005 at Reel 016892, Frame 0530, in the United States Patent & Trademark Office.

4. Prior to October 1, 2002, we conceived respective portions of the invention, as evidenced by the enclosed Invention Report, submitted September 20, 2002, describing the subject matter to be used in preparation of the PCT application from which the above-identified application claims priority. This document demonstrates that prior to October 1, 2008, we were in possession of the respective portions of the invention and were able to describe the invention so as to enable a person skill in the art to make and use the invention.

5. Prior to October 1, 2002, Eva-Maria Leppanen prepared and submitted the Invention Report, as evidence by the enclosed "Screen Shot" of the submission of the Invention Report, to Nokia Corporation. The Screen Shot provides support that the enclosed Invention Report was prepared prior to October 1, 2008. For example, the Screen Shot illustrates that the submission date of the Invention Report was September 20, 2002. Furthermore, the case reference number 39624 illustrated in the Screen Shot and the code number 39624 listed on page 1 of the Invention Report are the same.

Moreover, the submission document shown in the top left corner of the Screen Shot is of the Invention Report. The Screen Shot also illustrates that we are the inventor of the PCT application from which the above-identified application claims priority.

6. A copy of the Invention Report and the Screen Shot illustrating submission of the Invention Report are enclosed. Upon diligent review and approval of the Invention Report, the PCT application was duly prepared. The Invention Report was used in preparation of the PCT application.

7. Given the completeness of the Invention Report, we can state that the invention disclosed in PCT Application No. PCT/IB02/04381 and U.S. Patent Application Serial No. 10/529,577 was invented prior to October 1, 2002.

8. Because U.S. Patent Publication No. 2004/0062383 to Sylvain ("Sylvain") was filed October 1, 2002 and published April 1, 2004, Sylvain is not available as prior art to any aspects of the above-identified application. Sylvain's filing date and publication date are after the date of the Invention Report relating to the above-identified application, September 20, 2002. Therefore, Sylvain does not qualify as prior art under any of the sections of 35 U.S.C. § 102.

9. The Invention Report effectively demonstrates that the present application was conceived before the filing date of Sylvain coupled with due diligence, from prior to filing date of Sylvain, until the claimed invention was filed as PCT application on October 9, 2002.

10. We affirm that all statements made herein are believed to be true and, further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the present application, or any patent issuing thereon.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
Juha Mikael KALLIOKULJU  
Citizen of Finland

Date: 24/01/02

Signed:  \_\_\_\_\_  
Mikko Aleks LONNFORS  
Citizen of Finland